

From: Dave Walsh
To: Microsoft ATR
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Subject: Microsoft Settlement

To whom it may concern:

I have been involved in developing computer software for 25 years. I have watched Microsoft's behavior since the very first PCs. I currently own a computer company that focuses on the development of Java software for the healthcare market, with a particular emphasis on the Medicaid sector. I would like to make the following points.

1. In my opinion Microsoft has a tendency to sit back and let the venture community, and entrepreneurs invest many millions of dollars with early stage technologies. Once the economic viability of these products has been established, Microsoft steps in with a free, bundled or tightly integrated product that destroys the competition. Once there is no more competition they begin to charge what the market will bear for the bundled solution.

2. At the heart of the problem is the fact that Microsoft is using it's base level software first DOS, then Windows, Windows applications, Browsers to insure that the entire industry propagates their initiative. If a group develops software that is truly innovative, then Microsoft will buy it or build a clone that is offered as a part of the windows initiative. Any settlement that allows Microsoft to pay compensation by giving away software, which will further their ambitions to educate the world that Microsoft products are the only answer, is counter productive. Having Microsoft purchase and distribute computer hardware from a variety of manufactures seems appropriate. This Hardware should be pre loaded with some of the software that has been injured by the Microsoft practices. The latest version of Java and one or more of the excellent development environments for Java should be pre loaded to the exclusion of Microsoft development software. The Latest version of Netscape's browser should be pre loaded instead of IE. Initiatives such as these would be much more consistent with with a resolution to the problem.

3. I believe that Microsoft should be forced to distribute a version of Java that's meets the current Java specification with any operation system that Microsoft ships, including Windows CE. The problem with Java is a distribution problem. Insuring the availability of an alternative to consumers and the ability for developers to assume that a current Java application will run on a consumer device is a huge step towards opening competition.

4. My organization often responds to local, State and Federal RFPs. All too often these RFDs specify that only Microsoft solutions will be

accepted. I do not believe that it is the job of our government to promote Microsoft products in any way. The government should be specifying software that is compliant with recognized standards organizations and requesting features that are relevant to the tasks associated with the procurement.

Regards
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